



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
12TH SESSION
WEDNESDAY, SEPTEMBER 2, 2015
10 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3826 your name, phone number and subject matter;
- c. By filling out the registration form in person; or
- d. By calling 768-3825 or 768-3813.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- a. three-minute presentation on Public Hearing, New Business and Sunshined items;
- b. one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

The Council will recess from 12:30 p.m. to 1:30 p.m.

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Accommodations are available upon request to persons with disabilities, please call 768-3825 or 768-3813 or send an email to potto1@honolulu.gov or vchung@honolulu.gov at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, September 2, 2015

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

1. CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 11th Session

ORDER OF BUSINESS
Wednesday, September 2, 2015

2. ORDER OF THE DAY

ENTER INTO THE COUNCIL JOURNAL

MM-119

From Mayor Kirk Caldwell, returning vetoed Bill 44, FD1, relating to public pedestrian malls in the Downtown and Chinatown areas.

FOR CONSIDERATION

Bill 44, FD1

Relating to public pedestrian malls in the Downtown and Chinatown areas. (Prohibiting, subject to exceptions, persons from sitting or lying on public malls in the Downtown Honolulu and Chinatown areas.)

PASS FINAL READING, THE MAYOR'S VETO TO THE CONTRARY NOTWITHSTANDING

ORDER OF BUSINESS
Wednesday, September 2, 2015

PUBLIC HEARING/RESOLUTIONS

Resolution 15-237 (Public Health, Safety & Welfare)

Relating to the reappointment of John E. Kobayashi to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 15-238 (Executive Matters & Legal Affairs)

Relating to the reappointment of Carolyn T. Onaga to serve on the Civil Service Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, September 2, 2015

APPOINTMENTS – RESOLUTIONS

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-333

Resolution 15-184

Relating to the appointment of Bryan P. Andaya to serve on the Board of Water Supply of the City and County of Honolulu.

ADOPTION

ZONING AND PLANNING

CR-339

Resolution 15-209

Relating to the appointment and reappointment of Lyle M. Ishida to the Zoning Board of Appeals.

ADOPTION

CR-340

Resolution 15-210

Relating to the appointment of Theresia C. McMurdo to serve on the Planning Commission of the City and County of Honolulu.

ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

PUBLIC HEARING/SECOND READING

PUBLIC HEALTH, SAFETY AND WELFARE

CR-309

Bill 56, CD1

Relating to the adoption of the State Fire Code. [Adopting the State Fire Code as adopted by the State of Hawaii (State) on August 15, 2014, subject to certain amendments which shall apply to the City.]

PASS SECOND READING, AS AMENDED

BUDGET

CR-329

Bill 55, CD1

Relating to affordable rental housing leases. (Allowing the lessee of rental housing for low-moderate income persons to request lease extensions from the City, if certain conditions are met.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 2, 2015

ZONING AND PLANNING

CR-336

Bill 57, CD1

Rezoning land situated at Waikiki, Oahu, Hawaii. (Rezoning land situated in the Waikiki Special District from Apartment Precinct to the Apartment Mixed Use Subprecinct, and from the Public Precinct to the Apartment Mixed Use Subprecinct.) (Deadline: 10/19/15)

PASS SECOND READING, AS AMENDED

CR-337

Bill 58, CD1

Amending Chapter 21, Revised Ordinances of Honolulu 1990, as amended (the Land Use Ordinance), relating to the Waikiki Special District. [Amending the Waikiki Special District zoning map to conform with amendments to Zoning Map No. 3 (Moiliili-Kaimuki, Ordinance 86-106) made by Bill 57 (2015).] (Deadline: 10/19/15)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 2, 2015

TRANSPORTATION

CR-343

Bill 59

Relating to complete streets. (Amending the Traffic Code of the City and County of Honolulu, as set forth in Chapter 15 of the Revised Ordinances of Honolulu 1990, as amended, to enable the City to implement complete streets features.)

PASS SECOND READING

CR-344

Bill 60

Relating to parades. (Amending the Traffic Code of the City and County of Honolulu, as set forth in Chapter 15 of the Revised Ordinances of Honolulu 1990, as amended, to enable the City to equitably regulate legacy parades and activities in the Waikiki Special District.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, September 2, 2015

THIRD READING

BUDGET

CR-327

Bill 25, CD2

Relating to the Honolulu Zoo. (Allowing limited sponsorship of Honolulu Zoo exhibits or facilities.)

PASS THIRD READING, AS AMENDED

Bill 25, CD2, Proposed FD1

(Submitted by Councilmember Ozawa)

ZONING AND PLANNING

CR-335

Bill 20, CD1

Relating to accessory dwelling units. (Establishing accessory dwelling units as a permitted use in all residential zoning districts, to encourage and accommodate the construction of accessory dwelling units, increase the number of affordable rental units and alleviate the housing shortage in the City, and to establish land use standards for those accessory dwelling units.) (Deadline: 10/1/15)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 2, 2015

FIRST READING

Bill 62

(Zoning and Planning)

To rezone land situated at Ewa Beach, Oahu, Hawaii. (Rezoning from the BMX-3 Community Business Mixed Use District with a height limit of 60 feet, I-3 Waterfront Industrial District with a height limit of 60 feet, Resort District with a height limit of 90 feet, and P-2 General Preservation District to the A-2 Medium-Density Apartment District with a height limit of 60 feet, B-1 Neighborhood Business District, BMX-3 Community Business Mixed Use District with a height limit of 60 feet, IMX-1 Industrial-Commercial Mixed Use District with a height limit of 60 feet, Resort District with a height limit of 90 feet, and P-2 General Preservation District.) [Applicant: Haseko (Ewa), Inc.] (Deadline: 9/21/15 + 120 days)

PASS FIRST READING

Bill 63

(Zoning and Planning)

To amend portions of boundaries of the Special Management Area Map for Ewa, Oahu, Hawaii. (Amending the boundary of the Special Management Area Map for the Ewa area to reflect the proposed development of an enclosed lagoon rather than a marina with direct access to the Pacific Ocean.)

PASS FIRST READING

ORDER OF BUSINESS

Wednesday, September 2, 2015

Bill 64

(Public Works, Infrastructure
and Sustainability)

Relating to solar photovoltaic systems. (Facilitating the construction, installation, and operation of solar photovoltaic systems on municipal buildings and municipal facilities in the City and County of Honolulu.)

PASS FIRST READING

Bill 65

(Executive Matters and Legal Affairs)

Relating to discrimination. (Adopting and implementing on a local level the principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.)

PASS FIRST READING

Bill 66

(Budget)

Relating to real property tax exemptions for homes. (Amending certain real property tax exemptions for homes.)

PASS FIRST READING

ORDER OF BUSINESS

Wednesday, September 2, 2015

Bill 67

(Budget)

Relating to real property tax exemptions. (Creating a real property tax exemption for certain real property affected by the construction of the Honolulu High Capacity Transit Project.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, September 2, 2015

RESOLUTIONS

PUBLIC HEALTH, SAFETY AND WELFARE

CR-310

Resolution 15-207

Relating to the acceptance of a gift from the Waikiki Business Improvement District Association (WBIDA) to address various illegal activities on the public sidewalks in specific areas in Waikiki and to upgrade the existing security camera system along Kalakaua Avenue.

FOR ADOPTION

CR-311

Resolution 15-213

Relating to the acceptance of a gift to the City from the Honolulu Firefighters Foundation for various Honolulu Fire Department projects and events.

FOR ADOPTION

CR-312

Resolution 15-224

Relating to the acceptance of a gift to the City and County of Honolulu from the Friends of the Missing Child Center – Hawaii for the Honolulu Police Department's Specialized Services Division Canine Unit.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

PUBLIC HEALTH, SAFETY AND WELFARE (Cont'd.)

CR-313

Resolution 15-225

Relating to the acceptance of a gift to the City from Kick Start Karate for six members of the Honolulu Police Department to attend the 13th Annual Taste of Kick Start fund-raiser on September 6, 2015.

FOR ADOPTION

CR-314

Resolution 15-226

Relating to the acceptance of a gift to the City from SolarCity Corporation for a photovoltaic system for familiarization and refresher training.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-315

Resolution 15-212

Relating to the acceptance of a gift to the City from Shinnyo-en Hawaii for Ala Moana Regional Park and McCoy Pavilion.

FOR ADOPTION

CR-316

Resolution 15-218, CD1

Placing a memorial plaque at Maunalua Bay Beach Park honoring Joe Lukela.

FOR ADOPTION

ORDER OF BUSINESS

Wednesday, September 2, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-317

Resolution 15-217, CD1

Relating to the inclusion in the 2016 Hawaii State Association of Counties legislative package of a proposal that would require mopeds to be subject to the State's Safety Check Program.

FOR ADOPTION

CR-318

Resolution 15-220

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 1-1-016-009 (Portion). (45th day: 9/17/15)

FOR ADOPTION

CR-319

Resolution 15-221, CD1

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Keys 1-2-009-011 and 1-2-009-098 (Portions). (45th day: 9/17/15)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-320

Resolution 15-222

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 1-5-007-016 (Portion). (45th day: 9/17/15)

FOR ADOPTION

CR-321

Resolution 15-223

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 2-1-014-006 (Portion). (45th day: 9/17/15)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-322

Resolution 15-239

To request additional funds for Contract No. SC-COR-1300044 to continue the services of Ayabe Chong Nishimoto Sia & Nakamura as Special Counsel for the City and County of Honolulu to represent Defendant City and County of Honolulu in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV 10-00087 SOM-RLP.

FOR ADOPTION

CR-323

Resolution 15-240

To request additional funds for Contract No. SC-COR-1300045 to continue the services of Chung & Ikehara as Special Counsel for the City and County of Honolulu to represent Defendants Ralstan Tanaka and Colby Kashimoto in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV 10-00087 SOM-RLP.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-324

Resolution 15-241

To request additional funds for Contract No. SC-COR-1300060 to continue the services of the Law Offices of Cary T. Tanaka fka Tanaka & Takase as Special Counsel for the City and County of Honolulu to represent Defendants Wayne Fernandez and Dan Kwon in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV 10-00087 SOM-RLP.

FOR ADOPTION

CR-325

Resolution 15-242

To request additional funds for Contract No. SC-COR-1300046 to continue the services of Fukunaga Matayoshi Hershey & Ching, LLP as Special Counsel for the City and County of Honolulu to represent Defendant William Axt in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV 10-00087 SOM-RLP.

FOR ADOPTION

ORDER OF BUSINESS

Wednesday, September 2, 2015

BUDGET

CR-330

Resolution 15-215, CD1

Requesting the Administration to report to the Council on the content and status of its Request for Proposals to replace its current City streetlights with light-emitting diode lighting.

FOR ADOPTION

Resolution 15-215, CD1, Proposed FD1
(Submitted by Chair Martin)

CR-331

Resolution 15-228

Amending the City Council policy relating to real property tax compromises.

FOR ADOPTION

CR-332

Resolution 15-229

Approving the Four-Year Area Plan on Aging under the Older Americans Act of 1965, as amended in 2006, and authorizing the Mayor or the Mayor's designee to apply for State and Federal grant funds, and to enter into intergovernmental agreements in support of this plan.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-334

Resolution 15-216

Urging the Administration to expedite completion of repaving projects on North King Street and Middle Street given the imminent commencement of construction for the rail project in Kalihi.

FOR ADOPTION

ZONING AND PLANNING

CR-341

Resolution 15-219

Urging the Department of Planning and Permitting to expedite all permitting requests for the improvement of State public housing.

FOR ADOPTION

CR-342

Resolution 15-230

Proposing an uncoded ordinance relating to the renewal of certain nonconforming use certificates for bed and breakfast homes.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 2, 2015

3. BALANCE OF COMMITTEE REPORTS

EMLACR-326

To request authorization to settle a civil lawsuit against the City and County of Honolulu entitled, John W. Helm III and Jonah B. Wellins v. Calvin Domingo, City and County of Honolulu, et al., Civil No. 13-00440 ACK-KSC.

FOR ADOPTION

4. UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, September 2, 2015

5. NEW BUSINESS

Resolution 15-234

Authorizing the Director of Budget and Fiscal Services to enter into an intergovernmental agreement with the University of Hawaii for an educational and interpretative program for the Hanauma Bay Nature Preserve.

FOR ACTION

Resolution 15-244

Naming Kailua District Park recreation center pool the Albert Minn Aquatic Center.

FOR ACTION

Resolution 15-246

Accepting a gift to the City from Dankook University.

FOR ACTION

ORDER OF BUSINESS

Wednesday, September 2, 2015

Resolution 15-248

Authorizing the Managing Director or his designee to enter into an intergovernmental agreement with the Hawaii Tourism Authority, State of Hawaii, for the acceptance and disbursement of funds to implement the County Product Enrichment Program.

FOR ACTION

Resolution 15-250

Accepting a gift to the City from the Association of Local Government Auditors.

FOR ACTION

D-619

From the Department of Planning and Permitting, requesting a 120-day extension of time on Bill 22, amending Chapter 21, Revised Ordinances of Honolulu 1990, as amended (The Land Use Ordinance), relating to regulation of certain visitor accommodations. (Deadline: 10/1/15 + 120 days)

FOR ACTION

ORDER OF BUSINESS

Wednesday, September 2, 2015

6. COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

Pursuant to Council Rule 12A and the Hawaii Revised Statutes Section 92-4 and Section 92-5(a)(4), the Council will resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues on matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities, and may resolve itself into a Committee of the Whole to consult with its attorneys on other claims and matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities.

7. ANNOUNCEMENTS

8. ADJOURNMENT